

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

In re:

BRUCE RANDALL ELLIOTT
SUSAN BLACKHURST ELLIOTT
Debtor(s)

Case No. 08-54672 SLJ

CHAPTER 13 STANDING TRUSTEE'S FINAL REPORT AND ACCOUNT

Devin Derham-Burk, chapter 13 trustee, submits the following Final Report and Account of the administration of the estate pursuant to 11 U.S.C. § 1302(b)(1). The trustee declares as follows:

- 1) The case was filed on 08/23/2008.
- 2) The plan was confirmed on 01/15/2009.
- 3) The plan was modified by order after confirmation pursuant to 11 U.S.C. § 1329 on NA.
- 4) The trustee filed action to remedy default by the debtor in performance under the plan on 09/13/2012.
- 5) The case was completed on 09/19/2012.
- 6) Number of months from filing to last payment: 49.
- 7) Number of months case was pending: 57.
- 8) Total value of assets abandoned by court order: NA.
- 9) Total value of assets exempted: \$23,445.00.
- 10) Amount of unsecured claims discharged without payment: \$140,222.15.
- 11) All checks distributed by the trustee relating to this case have cleared the bank.

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Receipts:

Total paid by or on behalf of the debtor	\$24,040.00
Less amount refunded to debtor	\$18.13

NET RECEIPTS: **\$24,021.87**

Expenses of Administration:

Attorney's Fees Paid Through the Plan	\$3,100.00
Court Costs	\$0.00
Trustee Expenses & Compensation	\$1,858.99
Other	\$0.00

TOTAL EXPENSES OF ADMINISTRATION: **\$4,958.99**

Attorney fees paid and disclosed by debtor: \$500.00

Scheduled Creditors:

Creditor Name	Class	Claim Scheduled	Claim Asserted	Claim Allowed	Principal Paid	Int. Paid
AMERICAN EXPRESS CENTURION BI	Unsecured	NA	12,687.52	12,687.52	0.00	0.00
AMERICAN EXPRESS CENTURION BI	Unsecured	NA	10,308.95	10,308.95	0.00	0.00
AMERICAN GENERAL FINAN	Unsecured	927.00	NA	NA	0.00	0.00
AMERICAN GENERAL FINANCE	Unsecured	8,063.00	8,220.66	8,220.66	0.00	0.00
AMERICAN GENERAL FINANCE	Unsecured	0.00	1,020.92	1,020.92	0.00	0.00
BECKET & LEE LLP	Unsecured	10,052.00	NA	NA	0.00	0.00
BECKET & LEE LLP	Unsecured	12,526.00	NA	NA	0.00	0.00
CREDIT FIRST	Unsecured	877.00	NA	NA	0.00	0.00
CREDIT FIRST NA	Unsecured	NA	979.96	979.96	0.00	0.00
DELL FINANCIAL SERVICES LP	Unsecured	0.00	3,770.44	3,770.44	0.00	0.00
DELL FINANCIAL SERVICES LP	Secured	3,902.00	400.00	400.00	400.00	0.00
DISCOVER BANK	Unsecured	12,846.00	12,793.44	12,793.44	0.00	0.00
DSNB MACYS	Unsecured	894.00	NA	NA	0.00	0.00
EAST BAY FUNDING LLC	Unsecured	13,002.00	12,841.33	12,841.33	0.00	0.00
EAST BAY FUNDING LLC	Unsecured	385.00	380.84	380.84	0.00	0.00
EAST BAY FUNDING LLC	Unsecured	116.00	169.38	169.38	0.00	0.00
EAST BAY FUNDING LLC	Unsecured	533.00	620.14	620.14	0.00	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	9,906.00	10,384.40	10,384.40	0.00	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	8,114.00	8,684.60	8,684.60	0.00	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	NA	6,010.12	6,010.12	0.00	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	10,354.00	10,055.90	10,555.90	0.00	0.00
GE MONEYGRAM BANK/JC PENNEY	Unsecured	5,775.00	NA	NA	0.00	0.00
HFC	Secured	13,987.00	14,745.24	14,745.24	14,745.24	0.00
HFC	Secured	654,333.00	664,407.85	664,407.85	0.00	0.00
NORDSTROM FSB	Unsecured	2,392.00	2,417.56	2,417.56	0.00	0.00
RESURGENT CAPITAL SERVICES	Unsecured	7,108.00	7,324.99	7,324.99	0.00	0.00
TAX COLLECTOR/SANTA CLARA CO	Secured	3,350.00	3,350.00	3,350.00	3,350.00	567.64

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Summary of Disbursements to Creditors:			
	<u>Claim Allowed</u>	<u>Principal Paid</u>	<u>Interest Paid</u>
Secured Payments:			
Mortgage Ongoing	\$664,407.85	\$0.00	\$0.00
Mortgage Arrearage	\$14,745.24	\$14,745.24	\$0.00
Debt Secured by Vehicle	\$0.00	\$0.00	\$0.00
All Other Secured	\$3,750.00	\$3,750.00	\$567.64
TOTAL SECURED:	\$682,903.09	\$18,495.24	\$567.64
Priority Unsecured Payments:			
Domestic Support Arrearage	\$0.00	\$0.00	\$0.00
Domestic Support Ongoing	\$0.00	\$0.00	\$0.00
All Other Priority	\$0.00	\$0.00	\$0.00
TOTAL PRIORITY:	\$0.00	\$0.00	\$0.00
GENERAL UNSECURED PAYMENTS:	\$109,171.15	\$0.00	\$0.00

Disbursements:		
Expenses of Administration	<u>\$4,958.99</u>	
Disbursements to Creditors	<u>\$19,062.88</u>	
TOTAL DISBURSEMENTS :		<u>\$24,021.87</u>

12) The trustee certifies that, pursuant to Federal Rule of Bankruptcy Procedure 5009, the estate has been fully administered, the foregoing summary is true and complete, and all administrative matters for which the trustee is responsible have been completed. The trustee requests a final decree be entered that discharges the trustee and grants such other relief as may be just and proper.

Dated: 05/08/2013

By: /s/ Devin Derham-Burk

Trustee

STATEMENT: This Unified Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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